

## **Violent Crime Coordinating Council (VCCC) 12/9/15 Meeting Minutes**

**Members present:** David Voigt; John Gross; David Hermerding; Rob Thomasser (for Thomas Smith); Bruce Folkens (for Janee Harteau); Mike Goldstein; Andy Bohlen; Pete Dietzman (for Rich Stanek); Jack Serier (for Matt Bostrom); Brian Mueller; Cari Gerlicher; Steven Day and Drew Evans.

**DPS Staff:** Tricia Hummel, Brian Marquart and Kristin Lail.

**Guests:** Don Rothstein, DOC, and John Wisniewski, MN National Guard.

### **Meeting materials:**

- VCCC 12/9/15 meeting agenda
- 10/14/15 draft meeting minutes
- 2016 VCCC Meeting Dates
- VCCC Committee Structure
- Statewide Commander Report
- Community Engagement Committee Report
- Sentencing Guidelines Commission press release on controlled substances changes.
- MDH Medical Cannabis and Intractable Pain
- Minnesota Counter Drug Task Force Briefing

**Location:** Minnesota Department of Corrections, Pung Conference Room.

**Welcome and Introductions:** The meeting was convened at 10:02 by Chair Goldstein.

***M/S/P (Hermerding/Gerlicher) to approve meeting minutes from 10/14/15.***

***M/S/P (Gerlicher/Hermerding) to approve the 12/9/15 meeting agenda.***

### **Statewide Gang and Drug Commander Update**

Brian Marquart reported completion of 2015 VCET site visits which were reviewed with the Professional Standards subcommittee. He attended sex trafficking training, taught a basic narcotics course, and has been meeting with the new National Guard Counter Drug commander. Marquart has also attended meetings on prison overcrowding and sentencing guidelines. He has begun planning for 2016 Can-Am Narcotics Officers' Conference, IIR task force supervisor training and OSA reviews of VCET forfeiture, confidential funds and evidence procedures.

### **Standing Committee Updates**

#### **Governance Subcommittee**

Vice Chair Brian Mueller convene a meeting of the Governance Committee to discuss medical marijuana expansion to intractable pain, sentencing guidelines controlled substances changes and charging issues with butane hash oil/marijuana wax. He noted that in 2011 there were 9

arrests for hashish and 20 grams seized by VCET. While projections for 2015 indicate more than 80 arrests and seizures of 14,000 grams of the newly classified marijuana concentrates. The committee discussed the BCA lab report format which cannot specify the resinous form of marijuana as noted in the state statute. They proposed a change to the statute generally noting a substance containing THC which would include butane hash oil, marijuana wax and also cannabis edibles. After some discussion, members agreed to defer the topic to the MCAA criminal law committee for review. VCCC members will bring this topic to the attention of their professional associations. Goldstein noted that the Governance committee is also tasked with overseeing the VCCC bylaws and should review member attendance requirements. The committee may also consider a recommendation that the commissioner of public safety request additional state legislative funding for multijurisdictional gang and drug initiatives.

### **Professional Standards Subcommittee**

Cari Gerlicher reported that the Professional Standards Committee met immediately before the VCCC meeting and reviewed the remainder of VCET site visit reports. They discussed the recommendations and requirements noted by the statewide commander and were concerned about a few VCETs which had issues carried over from previous OSA reports. Gerlicher suggested the VCCC request written responses from VCET commanders to requirements noted in the site visit reports and also a warning to two VCETs that funding may be impacted if continued noncompliance with the Guidelines Manual.

***M/S/P (Gerlicher/Mueller) to request a written corrective action plan from all VCETs that had requirements noted in their 2015 site visit reports.***

***M/S/P (Gerlicher/Bohlen) to notify Paul Bunyan and Lakes Area VCET commanders and advisory board chairs of continued noncompliance with provisions of the Guidelines Manual and possible implications for grant funding.***

The statewide gang and drug coordinator will conduct follow up site visits with these two VCETs before the next VCCC meeting in February and the committee will review the Guidelines Manual in 2016

### **Community Engagement Subcommittee**

John Gross referred to a written committee update from Hector Garcia regarding the planned VCET commander training and ongoing community roundtable in North St. Paul. The committee met immediately after the VCCC meeting to discuss plans for the VCET Commander training at Camp Ripley on February 17.

### **Data Committee**

Drew Evans reported that since September 1<sup>st</sup>, there have been only 41 submissions to the ACISS gang module through the state fusion center: 37 from DOC and 4 from the CEE-VI VCET in Wilmar. A total of 22 gangs had been identified and 7 subjects had been entered in to the gang pointer file. After more than a year of outreach and training by DOC, the gang analyst and the statewide commander there is still minimal use by the local agencies. He recommended

discontinuing the state gang data collection, noting that any agency that identifies 3 or more criteria with one subject may submit directly to the confidential gang pointer file. Members discussed concerns about public data and access from the field, but also provided examples of multijurisdictional connections achieved through gang data sharing. The MOCIC RISS system was also suggested a tool for tracking gang data.

***M/S/P (Goldstein/Mueller) to discontinue the state program that collects and collates individual gang data, while the Gang Pointer File for three or more documented criteria will continue. (Two votes opposed.)***

Evans announces the use of new microcrystalline testing procedures in the state crime lab that would reduce turnaround time for drug evidence. He also noted issues likely to be discussed in the legislative session including police body cameras and drones. Marquart noted that there continues to be a need for a shared records management system for VCETs but is precluded by state data practices.

### **Grant Administration Update**

Kristin Lail reported that 23 amendments were in process, extending 2015 VCET grants through 2016. The 2016 annual report will be drafted, reviewed by executive committee members and forwarded from the Commissioner of Public Safety to the legislature on February 1<sup>st</sup>. A draft will be available at the next VCCC meeting. Motions passed at this meeting will be included in the report and OJP staff will follow up on the site visit concerns.

There was a break for lunch followed by a presentation from Lt. Col. John Wisneiowski from the Minnesota National Guard Counter Drug Program. He summarized the analytical, aviation and training resources available to VCETs and local law enforcement agencies. Wisneiowski is working with the statewide commander to identify data collected by VCETs that could be incorporated into the federal EPIC system to justify need for counter drug funding.

The VCCC meeting was adjourned at 12:30 p.m.

The next regular VCCC meeting will be held on February 10, 2016 at the Department of Corrections.